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No. 168

## House of Representatives

The House met at 4 p.m. and was called to order by the Speaker pro tempore (Mr. WOLF).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
December 22, 2005.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, the Beginning and the End, all natural beauty gives You glory. All human effort is destined to build Your kingdom of peace and justice.

Bless the finishing work of this First Session of the 109th Congress of the United States of America. May words of promise for the good of Your people come to fulfillment and bring good news to the poor. May laws here enacted be truly implemented with equality and accountability.

May the hopes of Americans be realized in the new year, and may this manifestation of free democracy in action be a sign of Your blessing upon all the Earth and give You glory, now and forever. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### NOTICE

If the 109th Congress, 1st Session, adjourns sine die on or before December 22, 2005, a final issue of the Congressional Record for the 109th Congress, 1st Session, will be published on Friday, December 30, 2005, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-60 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Thursday, December 29. The final issue will be dated Friday, December 30, 2005, and will be delivered on Tuesday, January 3, 2006. Both offices will be closed Monday, December 26, 2005.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at <http://clerk.house.gov/forms>. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT-60.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the Congressional Record may do so by contacting the Office of Congressional Publishing Services, at the Government Printing Office, on 512-0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

TRENT LOTT, *Chairman.*

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H13177

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## MESSAGE FROM THE SENATE

A message from the Senate by Mrs. Curtis, one of its clerks, announced that the Senate had passed with an amendment a bill of the house of the following title.

H.R. 1400. An act to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 119. An act to provide for the protection of unaccompanied alien children, and for other purposes.

S. 716. An act to amend title 38, United States Code, to enhance services provided by vet centers, to clarify and improve the provision of breavement counseling by the Department of Veterans Affairs, and for other purposes.

S. 1182. An act to amend title 38, United States Code, to improve health care for veterans, and for other purposes.

S. 1184. An act to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member.

S. 1315. An act to require a report on progress toward the Millenium Development Goals, and for other purposes.

S. 2167. An act to amend the USA PATRIOT Act to extend the sunset of certain provisions of the Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to July 1, 2006.

S. 2170. An act to provide for global pathogen surveillance and response.

The message also announced that the Senate has agreed to concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. Con. Res. 74. Concurrent resolution making appropriation for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes.

S. Con. Res. 75. Concurrent resolution encouraging all Americans to increase their charitable giving, with the goal of increasing the annual amount of charitable giving in the United States by 1 percent.

The message also announced that the Senate agreed to the report of the committee of conference on the further conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3010) "An Act making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes."

The message also announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amend-

ment of the Senate to the bill (H.R. 1815) "An Act to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes."

The message also announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (S. 1281) "An Act to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, and for other purposes, for fiscal years 2006, 2007, 2008, 2009, and 2010."

The message also announced that the Senate, having had under consideration the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1932) "An Act to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95)," it was

*Resolved*, That the Senate defeated the conference report by operation of the Budget Act; be it further

*Resolved*, That the Senate concur in the amendment of the House with further amendment.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, Speaker pro tempore WOLF signed the following enrolled bills on Wednesday, December 21, 2005:

S. 205, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers;

S. 652, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin;

S. 1238, to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes;

S. 1310, to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area, to allow certain commercial vehicles to continue to use Route 209 within Delaware Water Gap National Recreation Area, and to extend the termination date of the National Park System Advisory Board to January 1, 2007;

S. 1481, to amend the Indian Land Consolidation Act to provide for probate reform;

S. 1892, to amend Public Law 107-153 to modify a certain date;

S. 1988, to authorize the transfer of items in the War Reserves Stockpile for Allies, Korea.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 22, 2005.

Hon. J. DENNIS HASTERT,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 22, 2005, at 2:30 pm:

That the Senate passed without amendment—H. Con. Res. 59.

That the Senate passed without amendment—H. Con. Res. 196.

That the Senate passed without amendment—H. Con. Res. 230.

That the Senate passed without amendment—H. Con. Res. 324.

That the Senate passed without amendment—H.R. 972.

That the Senate passed without amendment—H.R. 2017.

That the Senate passed without amendment—H.R. 3179.

That the Senate passed without amendment—H.R. 4501.

That the Senate passed without amendment—H.R. 4525.

That the Senate passed without amendment—H.R. 4579.

That the Senate passed without amendment—H.R. 4635.

That the Senate passed without amendment—H.R. 4637.

With best wishes, I am  
Sincerely,

KAREN L. HAAS,  
*Clerk of the House.*

## USA PATRIOT ACT 1-MONTH EXTENSION

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary and the Permanent Select Committee on Intelligence be discharged from further consideration of the bill (H.R. 4647) to amend the USA PATRIOT ACT to extend the sunset of certain provisions of such Act, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4647

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. EXTENSION OF CERTAIN PROVISIONS OF THE USA PATRIOT ACT.

Section 224(a) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (Public Law 107-56; 115 Stat. 295) is amended by striking "December 31, 2005" and inserting "February 3, 2006".

Mr. SENSENBRENNER. Mr. Speaker, in the wake of the September 11, 2001 attacks, Congress recognized that our Nation's intelligence and law enforcement communities lacked the

statutory tools necessary to meet and defeat the international terrorist threat. Large majorities in both Houses passed the PATRIOT Act to lower the wall of separation between the intelligence and law enforcement communities that prevented the sharing of threat information that might have averted these attacks. I supported the inclusion of sunsets in the PATRIOT Act because I recognized that the enlargement of Federal law enforcement authority and the attendant risk to civil liberties required comprehensive examination and affirmative congressional reauthorization.

Since passage of the PATRIOT Act in October of 2001, I have led aggressive congressional oversight of the implementation of the PATRIOT Act before the House Committee on the Judiciary, and the legislation has been exhaustively examined by the House Committee on Intelligence, as well as companion committees in the other body. The PATRIOT Act conference report is more protective of civil liberties than current law in dozens of areas, and is the product of extensive and bipartisan legislative and oversight, as well as intensive bipartisan and bicameral negotiations. On December 14, the House passed the PATRIOT Act conference report by a bipartisan vote of 251–174.

Last night, the other body ignored the will of the House, a majority of PATRIOT Act House-Senate conferees, and a clear majority of Senators bypassing a 6-month extension of the PATRIOT Act that contained none of the important civil liberties provisions carefully negotiated by House and Senate conferees.

The security of the American people should not be subordinated to the partisan brinkmanship of a minority of obstructionist Senators. It is imperative that the PATRIOT Act not be permitted to expire in order to ensure that our Nation's law enforcement and intelligence communities are provided the statutory mandate necessary to detect and defeat terrorist threats.

Let me respond to assertions that the conference report does not strengthen the civil liberties provisions of the original PATRIOT Act.

Senator SCHUMER and others have said that we ought to "mend it, not end it." Senator SCHUMER and others fail to recognize that conferees have already extensively mended it, and that further mending will have the effect of ending the vital antiterrorism provisions contained in this legislation and heighten the risk of future terrorist attack.

With respect to civil liberties enhancements, the PATRIOT Act conference report contains at least 30 additional civil liberties safeguards, many of which were requested by minority conferees. This conference report tightens the criteria necessary to obtain a multipoint wiretap, heightens reporting requirements of their use, increases safeguards for the use of delayed notice search warrants, imposes stringent requirements for the acquisition of business records under section 215 of the legislation, requires the approval of such orders from the FBI Director or other senior executive officials if they pertain to library, medical, educational or other records, limits the scope of material obtained through these orders, and prohibits the dissemination of information obtained.

The conference report also requires that the DOJ Inspector General conduct two separate audits of the FBI's use of section 215 orders that will examine: any noteworthy facts or cir-

cumstances relating to 215 orders, including any improper or illegal use of the authority; the manner in which such information is collected, retained, analyzed, and disseminated by the FBI; and an assessment of whether the minimization procedures protect the constitutional rights of United States persons.

Allows recipients of National Security Letters (NSLs) to consult with legal counsel and creates an explicit right to judicial review of NSL requests.

Permits a reviewing court to modify or set aside an NSL if compliance would be unreasonable, oppressive, or otherwise unlawful—this is the same standard used to modify or quash a subpoena in a criminal case.

Requires the DOJ Inspector General to conduct two comprehensive audits of the FBI's use of NSLs and requires the Attorney General and the Director of National Intelligence to submit to Congress a report on the feasibility of applying minimization procedures to NSLs to ensure the protection of constitutional rights of U.S. persons.

Adds a new "sunshine" provision that requires annual public reporting on NSLs. Provides for expanded congressional access to significant FISA reporting currently provided to the Intelligence Committees.

Includes a provision requiring the FISA Court to submit its rules and procedures to Congress. Creates new reporting requirements for the use of emergency authorities under FISA. Requires new reporting on the use of emergency disclosures of communications information made under section 212 of the USA PATRIOT Act.

Requires the Department of Justice to submit a report to Congress on the Department's data-mining activities.

As you can see from this list of changes, the conference report does more than just mends the PATRIOT Act, it overhauls it in important ways that a minority of Senators refuse to recognize.

In order to ensure that this vital antiterrorism legislation does not expire at the end of this month, I offer legislation that provides a 5-week extension of the PATRIOT Act. The PATRIOT Act has already been subject to the most exhaustive congressional consideration of any modern legislation. A 5-week extension will permit both bodies to again examine the legislation to ensure that it enhances the security of the American people while preserving our civil liberties. It will also ensure that the vital antiterrorism provisions contained in the act do not expire as some in the other body have openly advocated.

I urge my colleagues to support this important legislation to renew the critical antiterrorism tools contained in the PATRIOT Act by supporting passage of H.R. 4647.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 4647, just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### USA PATRIOT ACT 6-MONTH EXTENSION

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2167) to amend the USA PATRIOT ACT to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to July 1, 2006, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

Mr. OBEY. Mr. Speaker, I reserve the right to object in order to simply ask at the proper time that I may be allowed to insert a statement from Mr. CONYERS in the RECORD with respect to the PATRIOT Act.

And I have been asked by the distinguished minority leader, Ms. PELOSI, to read the following statement:

"Mr. Speaker, I do not intend to object to this 1-month extension of the PATRIOT Act provision contained in this legislation. We would have preferred a 3- or 6-month extension to allow the American people a longer time to discuss the very serious impacts of these provisions on the civil liberties of the American people. But it appears we will only be given 1 month for that national debate.

"I also want it to be clear that this legislation involves only a small portion of the PATRIOT Act. Ninety percent of that act is law and remains law, regardless of what we do here today.

"The portion of the law in dispute is the very controversial section that affects the basic civil liberties of the American people. The rights of our citizens, as guaranteed by the Constitution, should not be shoehorned into a tight timeframe. We should have the time for a vigorous and thorough debate. In the meantime, the overwhelming majority of the PATRIOT Act is in place, and will remain in effect.

"Mr. Speaker, there is a very crucial debate in this country today about the rights of American citizens to privacy, and about the proper role of the Congress and courts in assuring that no one, not even the President, tramples on those basic privacy rights without complying with the law. In this atmosphere, it is appropriate to give additional time to examine the implications of these controversial provisions of the PATRIOT Act."

Mr. OBEY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2167

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. EXTENSION OF SUNSET OF CERTAIN PROVISIONS OF THE USA PATRIOT ACT AND THE LONE WOLF PROVISION OF THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.**

Section 224(a) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (18 U.S.C. 2510 note) is amended by striking "December 31, 2005" and inserting "July 1, 2006".

AMENDMENT OFFERED BY MR. SENSENBRENNER

Mr. SENSENBRENNER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

In section 1, strike "July 1, 2006" and insert "February 3, 2006".

Ms. PELOSI. Mr. Speaker, I do not intend to object to this one-month extension of the PATRIOT Act provision contained in this legislation. We would have preferred a three or six month extension to allow the American people a longer time to discuss the very serious impacts of these provisions on the civil liberties of the American people. But it appears we will only be given one month for that national debate.

I also want it to be clear that this legislation involves only a small portion of the PATRIOT Act. Ninety percent of that Act is law and remains law, regardless of what we do here today.

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Mr. Speaker, there is a very crucial debate in this country today about the rights of American citizens to privacy, and about the proper role of the Congress and the courts in assuring that no one—not even the President—tramples on those basic privacy rights without complying with the law. In this atmosphere, it is appropriate to give additional time to examine the implications of these controversial provisions of the PATRIOT Act.

Mr. SENSENBRENNER. Mr. Speaker, in the wake of the September 11, 2001 attacks, Congress recognized that our Nation's intelligence and law enforcement communities lacked the statutory tools necessary to meet and defeat the international terrorist threat. Large majorities in both Houses passed the PATRIOT Act to lower the wall of separation between the intelligence and law enforcement communities that prevented the sharing of threat information that might have averted these attacks. I supported the inclusion of sunsets in the PATRIOT Act because I recognized that the enlargement of federal law enforcement authority and the attendant risk to civil liberties required comprehensive examination and affirmative congressional reauthorization.

Since passage of the PATRIOT Act in October of 2001, I have led aggressive congressional oversight of the implementation of the PATRIOT Act before the House Committee on the Judiciary, and the legislation has been exhaustively examined by the House Committee

on Intelligence, as well as companion committees in the other body. The PATRIOT Act conference report is more protective of civil liberties than current law in dozens of areas, and is the product of extensive and bipartisan legislative and oversight, as well as intensive bipartisan and bicameral negotiations. On December 14, the House passed the PATRIOT Act conference report by a bipartisan vote of 251–174.

Last night, the other body ignored the will of the House, a majority of PATRIOT Act House-Senate conferees, and a clear majority of Senators by passing a six-month extension of the PATRIOT Act that contained none of the important civil liberties provisions carefully negotiated by House and Senate conferees.

The security of the American people should not be subordinated to the partisan brinkmanship of a minority of obstructionist Senators. It is imperative that the PATRIOT Act not be permitted to expire in order to ensure that our Nation's law enforcement and intelligence communities are provided the statutory mandate necessary to detect and defeat terrorist threats.

Let me respond to assertions that the conference report does not strengthen the civil liberties provisions of the original PATRIOT Act.

Senator SCHUMER and others have said that we ought to "mend it, not end it." Senator SCHUMER and others fail to recognize that conferees have already extensively mended it, and that further mending will have the effect of ending the vital antiterrorism provisions contained in this legislation and heighten the risk of future terrorist attack.

With respect to civil liberties enhancements, the PATRIOT Act conference report contains at least 30 additional civil liberties safeguards, many of which were requested by minority conferees. This conference report tightens the criteria necessary to obtain a multipoint wiretap, heightens reporting requirements of their use, increases safeguards for the use of delayed notice search warrants, imposes stringent requirements for the acquisition of business records under section 215 of the legislation, requires the approval of such orders from the FBI Director or other senior executive official if they pertain to library, medical, educational or other records, limits the scope of material obtained through these orders, and prohibits the dissemination of information obtained.

The conference report also requires that the DOJ Inspector General conduct two separate audits of the FBI's use of section 215 orders that will examine: any noteworthy facts or circumstances relating to 215 orders, including any improper or illegal use of the authority; the manner in which such information is collected, retained, analyzed, and disseminated by the FBI; and an assessment of whether the minimization procedures protect the constitutional rights of United States persons.

Allows recipients of National Security Letters (NSLs) to consult with legal counsel and creates an explicit right to judicial review of NSL requests.

Permits a reviewing court to modify or set aside an NSL if compliance would be unreasonable, oppressive, or otherwise unlawful—this is the same standard used to modify or quash a subpoena in a criminal case.

Requires the DOJ Inspector General to conduct two comprehensive audits of the FBI's use of NSLs and requires the Attorney Gen-

eral and the Director of National Intelligence to submit to Congress a report on the feasibility of applying minimization procedures to NSLs to ensure the protection of constitutional rights of U.S. persons.

Adds a new "sunshine" provision that requires annual public reporting on NSLs. Provides for expanded congressional access to significant FISA reporting currently provided to the Intelligence Committees.

Includes a provision requiring the FISA Court to submit its rules & procedures to Congress. Creates new reporting requirements for the use of emergency authorities under FISA. Requires new reporting on the use of emergency disclosures of communications information made under section 212 of the USA PATRIOT Act.

Requires the Department of Justice to submit a report to Congress on the Department's data-mining activities.

As you can see from this list of changes, the conference report does more than just mend the PATRIOT Act, it overhauls it in important ways that a minority of Senators refuse to recognize.

In order to ensure that this vital antiterrorism legislation does not expire at the end of this month, I offer an amendment to the Senate-passed reauthorization that extends the PATRIOT Act until February 3, 2005. The PATRIOT Act has already been subject to the most exhaustive congressional consideration of any modern legislation. A five-week extension provides ample time for both bodies to again examine the legislation to ensure that it enhances the security of the American people while preserving our civil liberties. It will also ensure that the vital antiterrorism provisions contained in the Act do not expire as some in the other body have openly advocated.

I urge my colleagues to support this important legislation to renew the critical antiterrorism tools contained in the PATRIOT Act by supporting passage of this amendment to S. 2167.

Mr. STEARNS. Mr. Speaker, I was very disappointed to learn that the Senate voted to extend the PATRIOT Act for just six months, rather than making it permanent or at least extending key provisions for the next few years.

As everyone in the House and Senate knows, the provisions of the PATRIOT Act have been used against drug lords and mafia kingpins for years, it is common sense that we are allowed to use these same tools in the war on terror.

I am also chagrined to see that the bill that the Senate sent over does not contain any of the cargo theft or port security provisions that we passed overwhelmingly in this body.

Back in July, we passed the port security/cargo theft provisions onto the PATRIOT Act reauthorization by a remarkable 381–45 vote. These measures were so important that, even though the Senate did not include them in their version of the PATRIOT Act reauthorization, conferees from both the House and Senate decided to put these provisions in the final conference report.

From a personal perspective, the issue of cargo theft is one that I have worked on for two years. I will not rest until these cargo theft prevention measures have been signed into law by the president.

These cargo theft provisions would have gone a long way in helping law enforcement fight the widespread and costly crime.

But if we must delay further action for six more months, that is six more months where criminals can steal cargo and make billions. That is half a year of handicapping our law enforcement, hurting our businesses and passing the cost on to American consumers.

Mr. Speaker, I commend Chairman SENSENBRENNER for his tireless efforts providing oversight over the PATRIOT Act and working on reauthorizing this critical legislation, including by now extending the PATRIOT Act for just one month. This allows us to work on making these provisions permanent and on including the cargo theft measures as soon as possible.

I also commend Chairman COBLE, Mr. FORBES and Mr. SCHIFF, as well as all the law enforcement and industry groups that worked on the port security and cargo theft provisions.

I say to our fellow Americans and our law enforcement communities, that I will do everything that I can to make the PATRIOT Act permanent, and that I will not rest until we finally enact these cargo theft prevention measures into law.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, S. 2167, just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### CORRECTING ENROLLMENT OF H.R. 2863, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006

Mr. WOLF. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 74) making appropriation for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore (Mr. PENCE). Is there objection to the request of the gentleman from Virginia?

Mr. OBEY. Mr. Speaker, reserving the right to object, more than a year ago when Mr. LEWIS was elected chairman of the Appropriations Committee, he came to me and asked if we could have an understanding that we would express our substantive differences, but still cooperate in moving bills forward in an orderly way once those differences were expressed. We did that.

Time and time again, the minority was denied the opportunity to offer different sets of priorities, priorities that did not offer huge tax cuts for those who have the most in society, paid for with cuts in education, health care,

and worker protection for those who have the least. Despite the fact that the rules of the House were used to block our efforts to obtain on-the-record votes on a number of our alternatives, Democrats continued to cooperate procedurally even as we made clear our differences on policy.

The Republican majority wanted to finish all of these bills by the end of the fiscal year, and we did not procedurally obstruct them, because while we differed strongly with the values that lie behind their budget priorities, we respected the fact that they are in the majority, and we respect and revere this institution. But because of internal divisions between the majority party, divisions within the House GOP caucus, and divisions between House and Senate Republicans, the fiscal year ended with the Labor-HHS bill and the Defense appropriations bill that represents 67 percent of the discretionary spending in our budget bill still being hung up in the legislative process.

Now in the closing days of this Congress, the Republican leadership has decided to use the must-pass Defense appropriations bill to force down the throats of the American people a number of wholly unrelated gifts to special interests. They decided to hold funds for our troops hostage in order to force Congress into removing protections against oil drilling in ANWR.

To make room for their tax giveaways, they even imposed a second round of cuts on education, health, worker protection, and even imposed a \$4 billion additional cut in military spending. Senate action yesterday has corrected one provision inserted in the bill by the abuse of power, the strong-arm attempts at drilling in ANWR, and for that I applaud the Senate. I led the opposition to ANWR's inclusion in the conference, and I am happy that the Congress was not blackmailed into accepting it.

But, frankly, Mr. Speaker, continuing under my reservation, ANWR was not the biggest problem with the conference report. The biggest problem is that it shortchanges our economic future by refusing to make adequate investments in education. And it cruelly neglects to strengthen support for programs that help provide critical health care services to people who desperately need them.

But we have lost that fight. This Congress has made the decision to cut critical health, education, worker protection, and social service funding by \$3 billion below last year's level. What I find so gutless about Congress' performance on this bill is that those cuts could not pass the Senate on a rollcall vote, so the majority party had to arrange for their Senators to duck this vote, thereby hiding from accountability by arranging for the bill to be passed through the Senate without a rollcall vote. That means the majority party has denied critical help to families most in need of help, but has not had the courage to forthrightly defend

their votes to the people affected in the public arena.

This bill makes that problem \$1.4 billion worse for those programs and because of the across-the-board cut, it makes other ill-advised cuts in critical funding for the FBI and local law enforcement, and it even cuts an additional \$4 billion out of the Defense bill. If I could do anything to change that, I would; but it is clear the die is cast.

Continuing under my reservation, Mr. Speaker, there is a second outrageous problem with this bill. The majority has turned the proposal to prepare for a flu pandemic into a giveaway to the pharmaceutical industry. When the President requested \$7 billion to begin a much-belated crash program to develop a new generation of vaccines and antiviral drugs to combat a potential flu pandemic, the Republican majority responded by cutting it in half. When I asked Senator STEVENS in conference why we shouldn't fund the rest of the administration's request so that it was clear that the government had a long-term commitment to the development of needed vaccines and antivirals, he responded that because liability protection language for manufacturers was not being adopted, long-range funding should be withheld.

The conference committee ended its work with the understanding, both verbal and in writing, that there would be no legislative liability protection language inserted in this bill. And because the majority told us it did not want any compensation program for victims to be applied against the discretionary portion of the budget, no funding was provided for that, either.

But after the conference was finished at 6 p.m., Senator FRIST marched over to the House side of the Capitol about 4 hours later and insisted that over 40 pages of legislation, which I have in my hand, 40 pages of legislation that had never been seen by conferees, be attached to the bill. The Speaker joined him in that assistance so that, without a vote of the conferees, that legislation was unilaterally and arrogantly inserted into the bill after the conference was over in a blatantly abusive power play by two of the most powerful men in Congress.

We then discovered that this language provided all sorts of insulation for pharmaceutical companies and that this insulation applied not just to drugs developed to deal with the flu but in fact applied to a far broader range of products. In essence, the provisions allowed the Secretary of HHS to issue a declaration that has the effect of almost completely prohibiting lawsuits in State or Federal courts by persons whose health was injured against manufacturers and various others for compensation for injuries caused by the use of covered countermeasures.

That determination would bar lawsuits against a wide range of covered persons involved with the countermeasures including manufacturers and



their suppliers, their distributors, State and local governments and their employees involved with the use of those countermeasures, medical personnel prescribing and administering the countermeasures, and so forth.

That is very broad power, indeed, to ban lawsuits. Unlike the language requested by the administration, the division E language is not limited to products to combat a flu pandemic. Rather, it applies to any drug, vaccine, medical device, or other products useful in dealing with anything the Secretary considers to constitute a health emergency or that could constitute an emergency in the future.

Although a rationale often offered for lawsuit protection is that it is needed to encourage manufacturers to develop and produce new treatments, the protections of division E are not limited to new or experimental products. Rather, nothing in the language would prevent the Secretary from providing protection against lawsuits to drugs that have been on the market for decades. Further, the language explicitly prohibits any judicial review in either Federal or State court of the Secretary's decisions to grant immunity from lawsuits.

If anyone believes that the power is being exercised too broadly, or even in violation of the law, they apparently would have no remedy other than asking the Secretary to change his mind or asking Congress to amend the law.

Although proponents point to provisions of this language that make an exception and allow lawsuits in cases of willful misconduct, that exception is so narrowly drawn as to be almost meaningless. First, the provision defines "willful misconduct" as acts taken intentionally to achieve a wrongful purpose, knowing there is no legal or factual justification, and in disregard of known or obvious great risk. Basically, Mr. Speaker, the only conduct that would permit a lawsuit under this definition is probably conduct so egregious as to be criminal in nature.

However, even this highly restrictive definition of "willful misconduct" doesn't seem to have been enough restriction on lawsuits to satisfy the authors of division E. They added yet another provision that allows the Secretary of HHS to promulgate regulations further narrowing the scope of actions that could give rise to a right to sue. Then there is yet another provision that says that if the conduct in question is regulated under the Food and Drug Act or Public Health Service Act, a lawsuit for willful misconduct can be brought only if the Federal Government has taken enforcement action against that conduct.

Finally, the language makes various changes to the normal rules of civil procedure to add further obstacles and difficulties in front of a potential plaintiff. In short, as a practical matter, there is virtually no right for anyone to sue about anything covered by a secretarial determination under this language.

In summary, the administration asked for some very broad liability protections for manufacturers and others involved with countermeasures against pandemic flu, and the administration's proposal was widely criticized as going too far. With division E of the Defense appropriations conference report, Congress would be providing even broader protection, potentially covering a wide range of drugs, vaccines, and devices far beyond what is needed to deal with flu. Further, this denial of the right to sue is more sweeping than provided in the case of childhood vaccines or in the case of smallpox vaccine. In the smallpox case, manufacturers were protected by basically substituting the Federal Government as defendant, with the scope of potential lawsuits against the Federal Government narrowed, but not eliminated.

Now, Mr. Speaker, I recognize that some sort of liability protection or indemnification is necessary and appropriate to encourage development and manufacture of some measures to deal with pandemic flu; and I would support such reasonable language, language that has been reviewed by a committee that knows what it is doing in a process that allows for public comments. But there are real doubts about whether it needs to be this broad. It is worth noting that Sanofi Pasteur, our only domestic flu vaccine manufacturer, has already signed contracts with the Federal Government to make avian flu vaccine and has already delivered some lots, rather than refusing to proceed until legislation like this is enacted. Similarly, Roche has been supplying Tamiflu for the national stockpile and actively seeking contracts to supply more.

The result of this legislative action was a provision in the pending bill that prevents anyone who is a victim of a faulty vaccine from being able to obtain compensation in the courts. It says, in effect, that if you become seriously ill because of mistakes in manufacturing that you lose your right to sue for compensation, but you can as an alternative seek compensation from the government. The problem is that no funds were provided, or no money was provided, for that fund. So anyone who gets sick would have to lobby Congress to put money in the fund before they can collect. Thus, people injured lose their right to sue, but are not guaranteed any alternative means of covering their medical bills, lost earnings, and other costs.

Mr. Speaker, the committee system was created years ago to ensure that, to protect the public interest, legislation would be carefully reviewed before it was placed before the body for consideration. But that protection was arbitrarily bypassed by the leadership in both Houses.

This is the second time that this Congress has supinely done the bidding of the pharmaceutical industry in the dead of night. The first time a vote was held open for 3 hours while the Repub-

lican majority twisted arms to create the complex and ridiculously confusing prescription drug bill that our seniors are now so desperately trying to understand, a bill that was ushered through this institution by over 600 lobbyists and that protected companies by preventing the government from even attempting to negotiate lower drug prices.

If I thought that denying unanimous consent on this bill would force the majority to eliminate that language, I would object. But, Mr. Speaker, it has also been made quite clear to me that the majority will not relent on the language that insulates drug companies. So, Mr. Speaker, I want it to be clear that the action to insert this special interest language in the bill is, in my view, a corruption of the legislative practices of the House.

When Congress returns in January, I intend to raise a question about the privileges of the House that are highlighted by this action because it has brought discredit to the House and should disturb every Member who serves here. No Member of Congress, no matter how powerful, should be able to unilaterally insist that provisions that were never discussed and never debated in the conference should wind up being slipped into that conference report without a vote of that same conference.

This is what happens when there are no checks and balances and when one party controls the White House, the Senate, and the House and respects no limits on its own use of power. We have been placed in this position because the House Republican leadership has sent Members home for the Christmas holidays with the message to the Senate that we would not be here even if the Senate changed the legislation the House sent. That was irresponsible, and the country will pay the price. This institution, unfortunately, will also pay a price in terms of diminished respect from the people we were elected to represent.

This is a shameful and shabby way to end the worst session of Congress I have experienced in my 36 years in this House. So, Mr. Speaker, I most reluctantly withdraw my reservation, because lodging an objection at this point would simply delay the shameful inevitable.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, further reserving the right to object, last week as American soldiers continued to bravely wage the war on terror in Iraq and Afghanistan, the House of Representatives passed a Defense appropriations bill containing a nongermane provision, language that would open up the Arctic National Wildlife Refuge to exploration. The agreement to include ANWR in the Defense appropriation turned what was essentially a bipartisan bill into a fight on the floor of both legislative bodies,

placing at risk the timely funding of our troops. Defense appropriations bills are historically the most protected type of legislation considered by the United States Congress. The Defense bill is usually the first piece of appropriations legislation passed by the House and Senate, and its language is kept clean from unnecessary and non-germane add-ons and amendments. That is why the addition of ANWR was so surprising to so many Members.

Prior to the vote earlier this week, I wrote a letter to the Rules Committee chairman expressing in the strongest terms possible my opposition and disappointment at the decision to place ANWR in the bill before the House. Mr. Speaker, I was not alone in my concern. Prior to Senate debate on the House-approved Defense bill, a group of high-ranking officers, including General Anthony Zinni, United States Marine Corps, sent a letter stating their concern over ANWR's inclusion in the legislation.

They wrote, and I quote: "With 160,000 troops fighting in Iraq, another 18,000 in Afghanistan and tens of thousands more around the world defending this country, Congress must finish its work and provide them the resources they need to do their job. We believe that any effort to attach controversial legislative language authorizing drilling in the Arctic National Wildlife Refuge to the Defense appropriations conference report will jeopardize Congress's ability to provide our troops and their families the resources they need in a timely fashion."

They continued, saying that "the passion and energy of the debate about drilling in ANWR is well known, and a testament to vibrant debate in our democracy. But it is not helpful to attach such a controversial nondefense legislative issue to a Defense appropriations bill. It only invites delay for our troops as Congress debates an important, but controversial, nondefense issue on a vital bill providing critical funding for our Nation's security."

As I speak, our brave men and women in the Armed Forces are serving in every corner of the globe. The work our servicemen and -women do each day will create a safer world, a world where liberty and democracy will take root in regions of the world untouched by freedom and choice. Our military deserves our support and the best equipment, training, armament, and reward our government can offer them. That is why I am here today, to lend my strong support to the legislation. The Senate made the right choice yesterday to strip this bill of unnecessary ornaments. ANWR does not belong in the Defense bill, and I am proud to support the Senate version without it.

The Defense appropriation bill being considered by the House today is a good bill. It will enable our troops to stand down as Iraqi security forces stand up. This legislation provides \$403.5 billion for our troops during this transition, equipping them with \$8 bil-

lion to replace damaged equipment, \$1.2 billion for force protection, and \$500 million to train new security forces in Iraq and in Afghanistan. Also, this legislation provides an essential 3.1 percent military pay increase for our soldiers effective January 1, 2006. This legislation honors our military and is deserving of all of our support.

As good as this legislation is, Congress must remain vigilant in our responsibility to support our troops. The Associated Press recently ran an article questioning the amount of money needed to address emergency combat operations in Iraq and Afghanistan. The article reported that the military informally indicated to the House Armed Services Committee that they would need an additional 80 to \$100 billion to fund operations in Iraq and Afghanistan. This request is made in addition to the \$50 billion appropriated through the Defense bill. This request is still being drafted by the Department of Defense and will most likely come to the floor as an additional spending package after we return next year.

I call on my colleagues to support this additional funding when it arrives in the House. We cannot afford to leave our military unprotected and underfunded, especially at this important time in our Nation's history.

Next week, Mr. Speaker, I will travel to Iraq to see the progress the Iraqi security forces are making to take the fight to the insurgents and to take their nation's future into their own hands. I will also visit our troops to give them our thanks from a grateful Nation for the work that they are doing to fight the terrorists, to secure the nation and pave the way for a new and vibrant democracy in Iraq. Our troops must have a clear understanding that our support for them is unwavering. The American people must know that our support for our Armed Forces is strong. That is why this legislation must pass clean, devoid of any needless add-ons. I call on my colleagues to support the legislation and pass the Defense appropriation bill.

With that, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 74

*Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill (H.R. 2863) making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:*

Strike Division C, the American Energy Independence and Security Act of 2005 and Division D, the Distribution of Revenues and Disaster Assistance.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

CONDITIONAL ADJOURNMENT TO MONDAY, DECEMBER 26, 2005

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that when the House adjourns today pursuant to this order, it adjourn to meet at 11 a.m. on Monday, December 26, 2005, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 326, in which case the House shall stand adjourned sine die pursuant to that concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

OMISSION FROM THE CONGRESSIONAL RECORD OF SUNDAY, DECEMBER 18, 2005 (BOOK II) AT PAGE H12641

#### CHAPTER 7

#### DEPARTMENT OF TRANSPORTATION

##### FEDERAL HIGHWAY ADMINISTRATION

##### FEDERAL-AID HIGHWAYS

##### (HIGHWAY TRUST FUND)

##### (RESCISSION)

The conference agreement includes a rescission of \$1,143,000,000 of the unobligated balances of funds apportioned to the States under chapter 1 of title 23, United States Code, excluding safety programs and funds set aside within the State for population areas. The conferees direct the Federal Highway Administration to administer the rescission by allowing each State maximum flexibility in making adjustments among the apportioned highway programs.

##### FEDERAL RAILROAD ADMINISTRATION

##### EFFICIENCY INCENTIVE GRANTS TO THE

##### NATIONAL RAILROAD PASSENGER CORPORATION

##### (RESCISSION)

The conference agreement rescinds \$8,300,000 from Efficiency Incentive Grants to the National Railroad Passenger Corporation and repeals section 135 of Division A of Public Law 109-115.

#### CHAPTER 8

#### GOVERNMENT-WIDE RESCISSIONS

The conference agreement includes a 1 percent across-the-board rescission to discretionary budgetary resources provided in fiscal year 2006 regular appropriations Acts, as well as to any previously enacted fiscal year 2006 advance appropriation and to any contract authority subject to limitation. The rescission does not apply to the Department of Veterans Affairs or spending designated as an emergency requirement.

#### TITLE IV—HURRICANE EDUCATION RECOVERY ACT

##### SUBTITLE A—ELEMENTARY AND SECONDARY EDUCATION HURRICANE RELIEF

The conference agreement includes language that authorizes assistance to elementary and secondary students and schools impacted by the hurricanes in the Gulf of Mexico in calendar year 2005. Funding to carry out this authority is included in chapter 6 of title 1.

##### SUBTITLE B—HIGHER EDUCATION HURRICANE RELIEF

The conference agreement includes temporary waivers to and modifications of certain higher education act requirements in order to provide flexibility to and ease financial burdens on postsecondary students and institutions impacted by the hurricanes in the Gulf of Mexico in calendar year 2005.

SUBTITLE C—EDUCATION AND RELATED  
PROGRAMS HURRICANE RELIEF

The conference agreement includes language to extend certain deadlines of the individuals with disabilities education act and waivers relating to Head Start and the Child Care and Development Block Grant. This language is included to facilitate assistance related to the hurricanes in the Gulf of Mexico in calendar year 2005.

TITLE V—GENERAL PROVISIONS AND  
TECHNICAL CORRECTIONS

The conference agreement includes a provision relating to the availability of funds.

The conference agreement includes a provision relating to any reference to “this Act”.

The conference agreement includes a provision removing the authority to make further transfers to or from the Emergency Response Fund.

The conference agreement includes a technical correction regarding funds appropriated to the Cooperative State Research Education and Extension Service.

The conference agreement includes a technical correction to the Energy and Water Development Appropriations Act, 2005, relating to the Animas-La Plata project.

The conference agreement includes a technical correction to the Energy and Water Development Appropriations Act, 2006, relating to the San Gabriel Basin Restoration Fund.

The conference agreement includes a technical correction to the Energy and Water Development Appropriations Act, 2006, relating to the Placer County, California, wastewater treatment project.

The conference agreement includes a technical correction to the Energy and Water Development Appropriations Act, 2006, relating to the Central New Mexico Project.

The conference agreement includes a provision correcting an enrollment error in the Energy and Water Development Appropriations Act, 2006, relating to a Hurricane Protection Study in Louisiana.

The conference agreement includes a technical correction to the Energy and Water Development Appropriations Act, 2006, related to the Western Area Power Administration.

The conference agreement includes a general provision making \$50,000,000 available to the New York State Uninsured Employers Fund and \$75,000,000 to the Centers for Disease Control and Prevention for purposes related to the September 11, 2001 terrorist attacks. These funds replace \$125,000,000 included in the supplemental appropriations for New York State made following the September 11th attacks that were unable to be spent for administering worker compensation claims and were rescinded in the regular FY 2006 Labor-HHS-Education Appropriations Act.

The conference agreement includes language that amends the Flexibility for Displaced Workers Act (Public Law 109-72) to strike “Hurricane Katrina” and insert “hurricanes in the Gulf of Mexico in calendar year 2005” each place it appears.

The conference agreement includes a provision that amends section 124 of Public Law 109-114.

The conference agreement includes a provision that amends section 128 of Public Law 109-114.

The conference agreement includes a provision that makes a technical correction to a military construction project in Public Law 109-114.

The conference agreement includes a provision that makes a technical correction to the short title of Public Law 109-114.

The conference agreement makes technical corrections to the capital investment grants listed in Public Law 109-115.

The conference agreement clarifies activities that are subject to section 205 of division A of Public Law 109-115.

The conference agreement makes a technical correction to an economic development grant in Public Law 108-447.

The conference agreement makes technical corrections to economic development grants in Public Law 109-115.

The conference agreement makes technical corrections to an economic development grant in Public Law 108-447.

The conference agreement precludes the funds appropriated to the 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks from being transferred to or from the Emergency Response Fund.

CONFERENCE TOTAL—WITH COMPARISON

The total new budget (obligational) authority for the fiscal year 2006 recommended by the Committee of Conference and comparisons to the 2006 budget estimates for 2006 follow:

[In thousands of dollars]	
Budget estimates of new (obligational) authority, fiscal year 2006	4,825,347
Conference agreement, fiscal year 2006	– 618,007
Conference agreement compared with:	
Budget estimates of new (obligational) authority, fiscal year 2006 .....	– 5,443,354

DIVISION C—AMERICAN ENERGY  
INDEPENDENCE AND SECURITY

The conference report includes division C concerning the lease of lands for oil and gas exploration and production within a defined area of the Arctic National Wildlife Refuge.

DIVISION D—DISTRIBUTION OF  
REVENUES AND DISASTER ASSISTANCE

The conference report includes division D, which provides for the distribution of revenues derived from bonus, rental, and royalty receipts from federal oil and gas leasing and operations within the Arctic National Wildlife Refuge and from receipts derived from the Digital Television Transition and Public Safety Fund.

DIVISION E

The conference agreement includes as division E the “Public Readiness and Emergency Preparedness Act”.

BILL YOUNG,  
DAVID HOBSON,  
HENRY BONILLA,  
R.P. FRELINGHUYSEN,  
TODD TIAHRT,  
ROGER F. WICKER,  
JACK KINGSTON,  
KAY GRANGER,  
JAMES T. WALSH,  
ROBERT B. ADERHOLT,  
JERRY LEWIS,  
JOHN P. MURTHA,  
NORMAN D. DICKS  
(*Except for Division C as to ANWR*),  
MARTIN OLAV SABO  
(*Except for 1% cut in Division B and Division C*),  
PETER J. VISLOSKEY  
(*Except for Division C and Division B as to 1% cut and avian flu section*),  
JAMES P. MORAN  
(*Except for Division B and Division C as to 1% cut, avian flu and ANWR provision*),

MARCY KAPTUR

(*Except for ANWR provision and Division B and Division C as to 1% cuts and avian flu*),

CHET EDWARDS

(*Except for 1% cut*),

DAVID R. OBEY

(*Except for Division C, Division B as to 1% cut and avian flu*),

*Managers on the Part of the House.*

TED STEVENS,

THAD COCHRAN,

ARLEN SPECTER,

PETE V. DOMENICI,

KIT BOND,

MITCH MCCONNELL,

RICHARD C. SHELBY,

JUDD GREGG,

KAY BAILEY HUTCHISON,

CONRAD BURNS.

CORRECTION TO THE CONGRESSIONAL RECORD OF SUNDAY, DECEMBER 18, 2005, AT PAGE H12232

The previous vote referenced by Mr. COLE of Oklahoma may be found in the daily RECORD of April 20, 2005, on page H2379.

CORRECTION TO THE CONGRESSIONAL RECORD OF SUNDAY, DECEMBER 18, 2005, (BOOK II) AT PAGE H12337

JOHN P. MURTHA,

NORMAN D. DICKS

(*Except for Division C as to ANWR*),

MARTIN OLAV SABO

(*Except for 1% cut in Division B and Division C*),

PETER J. VISLOSKEY

(*Except for Division C and Division B as to 1% cut and avian flu section*),

JAMES P. MORAN

(*Except for Division B and Division C as to 1% cut, avian flu, and ANWR provision*),

MARCY KAPTUR

(*Except for ANWR provision and Division B and Division C as to 1% cut and avian flu*),

CHET EDWARDS

(*Except for 1% cut*).

BILLS AND JOINT RESOLUTIONS  
APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates, he had approved and signed bills and joint resolutions of the following titles:

September 8, 2005:

H.R. 3673. An Act making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.

September 9, 2005:

H.R. 3650. An Act to allow United States courts to conduct business during emergency conditions, and for other purposes.



September 20, 2005:

H.R. 804. An Act to exclude from consideration as income certain payments under the national flood insurance program.

H.R. 3669. An Act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program.

September 21, 2005:

H.R. 3169. An Act to provide the Secretary of Education with waiver authority for students who are eligible for Pell Grants who are adversely affected by a natural disaster.

H.R. 3668. An Act to provide the Secretary of Education with waiver authority for students who are eligible for Federal student grant assistance who are adversely affected by a major disaster.

H.R. 3672. An Act to provide assistance to families affected by Hurricane Katrina, through the program of block grants to States for temporary assistance for needy families.

September 23, 2005:

H.R. 3761. An Act to provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina.

H.R. 3768. An Act to provide emergency tax relief for persons affected by Hurricane Katrina.

September 29, 2005:

H.R. 3649. An Act to ensure funding for sportfishing and boating safety programs funded out of the Highway Trust Fund through the end of fiscal year 2005, and for other purposes.

September 30, 2005:

H.R. 2132. An Act to extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency.

H.R. 2385. An Act to extend by 10 years the authority of the Secretary of Commerce to conduct the quarterly financial report program.

H.R. 3200. An Act to amend title 38, United States Code, to enhance the Servicemembers' Group Life Insurance program, and for other purposes.

H.R. 3784. An Act to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

H.R. 3864. An Act to provide vocational rehabilitation services to individuals with disabilities affected by Hurricane Katrina or Hurricane Rita.

H.J. Res. 68. A joint resolution making continuing appropriations for the fiscal year 2006, and for other purposes.

October 4, 2005:

H.R. 3667. An Act to designate the facility of the United States Postal Service located at 200 South Barrington Street in Los Angeles, California, as the "Karl Malden Station".

H.R. 3767. An Act to designate the facility of the United States Postal Service located at 2600 Oak Street in St. Charles, Illinois, as the "Jacob L. Frazier Post Office Building".

October 7, 2005:

H.R. 3863. An Act to provide the Secretary of Education with waiver authority for the reallocation rules in the Campus-Based Aid programs, and to extend the deadline by which funds have to be reallocated to institutions of higher education due to a natural disaster.

October 18, 2005:

H.R. 2360. An Act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

October 20, 2005:

H.R. 3971. An Act to provide assistance to individuals and States affected by Hurricane Katrina.

November 8, 2005:

H.R. 1409. An Act to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes.

November 10, 2005:

H.R. 2744. An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

November 11, 2005:

H.R. 2967. An Act to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building".

H.R. 3765. An Act to extend through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expedite the processing of permits.

November 14, 2005:

H.R. 3057. An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.

November 19, 2005:

H.R. 2419. An Act making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes.

H.R. 4326. An Act to authorize the Secretary of the Navy to enter into a contract for the nuclear refueling and complex overhaul of the U.S.S. Carl Vinson (CVN-70).

H.J. Res. 72. A joint resolution making further continuing appropriations for the fiscal year 2006, and for other purposes.

November 21, 2005:

H.R. 4133. An Act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program.

November 22, 2005:

H.R. 2490. An Act to designate the facility of the United States Postal Service located at 442 West Hamilton Street, Allentown, Pennsylvania, as the "Mayor Joseph S. Daddona Memorial Post Office".

H.R. 2862. An Act making appropriations for the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

H.R. 3339. An Act to designate the facility of the United States Postal Service located at 2061 South Park Avenue in Buffalo, New York, as the "James T. Malloy Post Office Building".

November 30, 2005:

H.R. 2528. An Act making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

H.R. 3058. An Act making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

December 1, 2005:

H.R. 126. An Act to amend Public Law 89-366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore.

H.R. 539. An Act to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System.

H.R. 606. An Act to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California.

H.R. 1972. An Act to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Williamson County, Tennessee, relating to the Battle of Franklin.

H.R. 1973. An Act to make access to safe water and sanitation for developing countries a specific policy objective of the United States foreign assistance programs, and for other purposes.

H.R. 2062. An Act to designate the facility of the United States Postal Service located at 57 West Street in Newville, Pennsylvania, as the "Randall D. Shughart Post Office Building".

H.R. 2183. An Act to designate the facility of the United States Postal Service located at 567 Thompson Avenue in Staten Island, New York, as the "Vincent Palladino Post Office".

H.R. 3853. An Act to designate the facility of the United States Postal Service located at 208 South Main Street in Parkdale, Arkansas, as the Willie Vaughn Post Office.

H.R. 4145. An Act to direct the Joint Committee on the Library to obtain a statue of Rosa Parks and to place the statue in the United States Capitol in National Statuary Hall, and for other purposes.

December 7, 2005:

H.R. 584. An Act to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior.

H.R. 680. An Act to direct the Secretary of the Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah, and for other purposes.

H.R. 1101. An Act to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California.

December 18, 2005:

H.J. Res. 75. A joint resolution making further continuing appropriations for the fiscal year 2006, and for other purposes.

December 20, 2005:

H.R. 2520. An Act to provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C.W. Bill Young Cell Transplantation Program.

## SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates, he had approved and signed bills of the Senate of the following titles:

September 21, 2005:

S. 252. An Act to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada.

S. 264. An Act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii.

S. 276. An Act to revise the boundary of the Wind Cave National Park in the State of South Dakota.

September 29, 2005:

S. 1340. An Act to amend the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment.

S. 1368. An Act to extend the existence of the Parole Commission, and for other purposes.

September 30, 2005:

S. 1752. An Act to amend the United States Grain Standards Act to reauthorize that Act. October 7, 2005:

S. 1786. An Act to authorize the Secretary of Transportation to make emergency airport improvement project grants-in-aid under title 49, United States Code, for repairs and costs related to damage from Hurricanes Katrina and Rita.

S. 1858. An Act to provide for community disaster loans.

October 13, 2005:

S. 1413. An Act to redesignate the Crowne Plaza in Kingston, Jamaica, as the Colin L. Powell Residential Plaza.

October 26, 2005:

S. 55. An Act to adjust the boundary of Rocky Mountain National Park in the State of Colorado.

S. 156. An Act to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, and for other purposes.

S. 397. An Act to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others. November 9, 2005:

S. 172. An Act to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices, and for other purposes.

November 11, 2005:

S. 37. An Act to extend the special postage stamp for breast cancer research for 2 years.

S. 1285. An Act to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building".

November 22, 2005:

S. 161. An Act to provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership.

S. 1234. An Act to increase, effective as of December 1, 2005, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

S. 1713. An Act to make amendments to the Iran Nonproliferation Act to 2000 related to International space Station payments, and for other purposes.

S. 1894. An Act to amend part E of title IV of the Social Security Act to provide for the making of foster care maintenance payments to private for-profit agencies.

December 20, 2005:

S. 52. An Act to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah.

S. 136. An Act to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, to adjust the boundaries of Redwood National Park, and for other purposes.

S. 212. An Act to amend the Valles Caldera Preservation Act to improve the preservation of the Valles Caldera, and for other purposes.

S. 279. An Act to amend the Act of June 7, 1924, to provide for the exercise of criminal jurisdiction.

S. 1886. An Act to authorize the transfer of naval vessels to certain foreign recipients.

## SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 119. An act to provide for the protection of unaccompanied alien children, and for other purposes, to the Committee on the Judiciary.

S. 716. An act to amend title 38, United States Code, to enhance services provided by vet centers, to clarify and improve the provision of bereavement counseling by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans Affairs.

S. 1182. An act to amend title 38, United States Code, to improve health care for veterans, and for other purposes, to the Committee on Veterans Affairs.

S. 1184. An act to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member; to the Committee on International Relations.

## SENATE ENROLLED BILLS SIGNED

The SPEAKER pro tempore, Mr. WOLF, announced his signature to enrolled bills of the Senate of the following titles:

S. 205. An act to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers.

S. 652. An act to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin.

S. 1238. An act to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes.

S. 1281. An act to authorize the programs of the National Aeronautics and Space Administration.

S. 1310. An act to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area, to allow certain commercial vehicles to continue to use Route 209 within Delaware Water Gap National Recreation Area, and to extend the termination date of the National Park System Advisory Board to January 1, 2007.

S. 1481. An act to amend the Indian Land Consolidation act to provide for probate reform.

S. 1892. An act to amend Public Law 107-153 to modify a certain date.

S. 1988. An act to authorize the transfer of items in the War Reserves Stockpile for Allies, Korea.

## BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reports that on December 17, 2005, she presented to the President of the United States, for his approval, the following bills.

H.J. Res. 75. Making further continuing appropriations for the fiscal year 2006, and for other purposes.

H.R. 327. To allow binding arbitration clauses to be included in all contracts affect-

ing land within the Gila River Indian Community Reservation.

H.R. 4324. To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster mitigation program, and for other purposes.

H.R. 4436. To provide certain authorities for the Department of State, and for other purposes.

Karen L. Haas, Clerk of the House, also reports that on December 20, 2005, she presented to the President of the United States, for his approval, the following bills.

H.J. Res. 38. Recognizing Commodore John Barry as the first flag officer of the United States Navy.

H.R. 358. To require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas, and for other purposes.

H.R. 797. To amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians.

H.R. 2520. To provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C.W. Bill Young Cell Transplantation Program.

H.R. 3963. To amend the Federal Water Pollution Control Act to extend the authorization of appropriations for Long Island Sound.

H.R. 4195. To authorize early repayment of obligations to the Bureau of Reclamation within Rogue River Valley Irrigation District or within Medford Irrigation District.

H.R. 4440. To amend the Internal Revenue Code of 1986 to provide tax benefits for the Gulf Opportunity Zone and certain areas affected by Hurricanes Rita and Wilma, and for other purposes.

H.R. 4508. To commend the outstanding efforts in response to Hurricane Katrina by members and employees of the Coast Guard, to provide temporary relief to certain persons affected by such hurricane with respect to certain laws administered by the Coast Guard, and for other purposes.

## SINE DIE ADJOURNMENT

Mr. SENSENBRENNER. Mr. Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Accordingly, pursuant to the previous order of the House of today, the House stands adjourned until 11 a.m. on Monday, December 26, 2005, unless it sooner has received a message or messages from the Senate transmitting its adoption of House Concurrent Resolution 326, in which case the House shall stand adjourned sine die pursuant to House Concurrent Resolution 326.

Thereupon (at 4 o'clock and 36 minutes p.m.), pursuant to the previous order of the House of today, the House adjourned until 11 a.m. on Monday, December 26, 2005, unless it sooner has received a message or messages from the Senate transmitting its adoption of House Concurrent Resolution 326, in which case the House shall stand adjourned sine die pursuant to House Concurrent Resolution 326.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5911. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Tolerances for Emergency Exemptions (Multiple Chemicals) [EPA-HQ-OPP-2005-0292; FRL-7749-4] received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5912. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Dichlorid; Extension of Time-Limited Pesticide Tolerance [EPA-HQ-OPP-2005-0477; FRL-7753-9] received December 21, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5913. A letter from the Comptroller, Department of Defense, transmitting the Department's quarterly report as of September 30, 2005, entitled, "Acceptance of contributions for defense programs, projects and activities; Defense Cooperation Account," pursuant to 10 U.S.C. 2608; to the Committee on Armed Services.

5914. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Simplification of the Grant Appeals Process (RIN: 0906-AA69) received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5915. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuel and Fuel Additives: Extension of California Enforcement Exemptions for Reformulated Gasoline to California Phase 3 Gasoline [OAR-2003-0217; FRL-8011-4] (RIN: 2060-AK04) received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5916. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's "Major" final rule — National Primary Drinking Water Regulations: Long Term 2 Enhanced Surface Water Treatment Rule [EPA-HQ-OW-2002-0039; FRL-8013-1] (RIN: 2040-AD37) received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5917. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emissions Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing [OAR-2003-0178; FRL-8011-6] (RIN: 2060-AM72) received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5918. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters: Reconsideration [OAR-2002-058; FRL-8011-5] (RIN: 2060-AM97) received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5919. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion [FRL-8012-

4] received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5920. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee; Nitrogen Oxides Budget and Allowance Trading Program, Phase II [R04-OAR-2005-TN-0005-200522(a); FRL-8015-2] received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5921. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee and Nashville-Davidson County; Approval of Revisions to the State Implementation Plan [R04-OAR-2005-TN-0004-200526(a); FRL-8014-6] received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5922. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Alabama; Nitrogen Oxides Budget and Allowance Trading Program, Phase II [R04-OAR-2005-AL-0001-200520(a); FRL-8014-9] received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5923. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Redesignation of the Shenandoah National Park Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan [EPA-R03-OAR-2005-VA-0013; FRL-8012-3] received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5924. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Redesignation of the City of Fredericksburg, Spotsylvania County, and Stafford County Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan [EPA-R03-OAR-2005-VA-0007; FRL-8012-2] received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5925. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Montana; Revisions to the Emergency Episode Avoidance Plan; Direct Final Rule [EPA-R08-OAR-2005-MT-0002; FRL-8012-8] received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5926. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Delegation of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for States of Arizona, California, Hawaii, and Nevada [AZ, CA, HI, NV-075-NSPS; FRL-7013-4] received December 21, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5927. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Tennessee; Redesignation of the Mont-

gomery County, Tennessee Portion of the Clarksville-Hopkinsville 8-Hour Ozone Nonattainment Area to Attainment; Correction [R04-OAR-2005-TN-0007-200536; FRL-8014-3] received December 21, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5928. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's "Major" final rule — National Primary Drinking Water Regulations: Stage 2 Disinfectants and Disinfection Byproducts Rule [EPA-HQ-OW-2002-0043; FRL-8012-1] (RIN: 2040-AD38) received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5929. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Fruit Cove and St. Augustine, Florida) [MB Docket No. 05-244, RM-11257] received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5930. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Victoria, George West, and Three Rivers, Texas) [MB Docket No. 03-56, RM-10662, RM-10775] received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5931. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Grand Portage, Minnesota) [MB Docket No. 04-339, RM-11060] received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5932. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (LaGrange, Greenville and Waverly Hall, Georgia) [MB Docket No. 03-233, RM-10813] received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5933. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Caseville and Pigeon, Michigan) [MM Docket No. 01-229] (Harbor Beach and Lexington, Michigan) [MM Docket No. 01-231] received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5934. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Holdenville and Pauls Valley, Oklahoma) [MM Docket No. 01-180, RM-10200, RM-11018] received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5935. A letter from the Legal Advisor/Chief, WTB, Federal Communications Commission, transmitting the Commission's "Major" final rule — Amendment of Part 22 of the Rules To Benefit the Consumers of Air-Ground Telecommunications Services [Docket No. 03-103] Amendment of Parts 1 and 22 of the Rules To Adopt Competitive Bidding Rules for Commercial and General Aviation Air-Ground Radiotelephone Service [Docket

No. 05-42] Application of Verizon Airfone Inc. for Renewal of 800 MHz Air-Ground Radiotelephone License, Call Sign KNKG804 (File No. 0001716212) received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5936. A letter from the Assistant Bureau Chief, Enforcement Bureau, Federal Communications Commission, transmitting the Commission's final rule — Review of the Emergency Alert System [EB Docket No. 04-296] received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5937. A letter from the Secretary, Department of the Interior, transmitting the semi-annual report on the activities of the Office of Inspector General for the period April 1, 2005, through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5938. A letter from the Assistant Secretary, Land Minerals Management, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulfur Operations on the Outer Continental Shelf (OCS) — Suspension of Operations (SOO) for Ultra-deep Drilling (RIN: 1010-AD09) received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5939. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Procedures for Designating Classes of Employees as Members of the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Program Act of 2000, Amendments — received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5940. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, and -800 Series Airplanes [Docket No. FAA-2005-23176; Directorate Identifier 2005-NM-220-AD; Amendment 39-14396; AD 2005-25-03] (RIN: 2120-AA64) received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5941. A letter from the Paralegal, FTA, Department of Transportation, transmitting the Department's final rule — Organization, Functions, and Procedures [Docket FTA-2005-22705] (RIN: 2132-AA79) received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5942. A letter from the Attorney, FRA, Department of Transportation, transmitting the Department's final rule — Technical Amendments to Standards for Development and Use of Processor-Based Signal and Train Control Systems; Correction [Docket No. FRA-2001-10160] (RIN: 2130-AA94) received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5943. A letter from the Trial Attorney, FRA, Department of Transportation, transmitting the Department's final rule — Revision of Method for Calculating Monetary Threshold for Reporting Rail Equipment Accidents/Incidents; Announcement of Reporting Threshold for Calendar Year 2006 [FRA-2005-20680, Notice No. 2] (RIN: 2130-AB65) received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5944. A letter from the Trial Attorney, FRA, Department of Transportation, transmitting the Department's final rule — Track Standards; Inspection of Joints in Continuous Welded Rail (CWR) [Docket No. FRA 2005-22522] (RIN: 2130-AB71) received December 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5945. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Extension of Transition Relief for Certain Partnerships and Other Pass-Thru Entities [Notice 2006-2] received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5946. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Transfer to Corporation Controlled by Transferor (Rev. Rul. 2006-2) received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5947. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 1374 Effective Dates [TD 9236] (RIN: 1545-BD95) received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5948. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Obligations of States and Political Subdivisions [TD 9234] (RIN: 1545-AU98) received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5949. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Acceptance Agent Revenue Procedure (Rev. Proc. 2006-10) received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5950. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Last-in, First-out Inventories (Rev. Rul. 2005-79) received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5951. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Definition of Regulated Investment Company (Rev. Rul. 2006-1) received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5952. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2006-4) received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5953. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Business entities; definitions (Rev. Rul. 2006-3) received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5954. A letter from the Acting Chief, Publications and Regulations Branch, Internal

Revenue Service, transmitting the Service's final rule — Allocation of income and deductions among taxpayers (Rev. Proc. 2006-9) received December 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

*[Filed on December 22, 2005]*

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure, H.R. 4438. A bill to establish special rules with respect to certain disaster assistance provided for Hurricane Katrina and Hurricane Rita (Rept. 109-364). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SENSENBRENNER:

H.R. 4647. A bill to amend the USA PATRIOT Act to extend the sunset of certain provisions of such Act; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOSSELLA:

H.R. 4648. A bill to prohibit assistance to Lebanon unless the Government of Lebanon extradites Mohammed Ali Hammadi to the United States; to the Committee on International Relations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BIGGERT:

H.R. 4649. A bill to authorize the Secretary of Education to provide assistance to local educational agencies serving homeless children and youths displaced by Hurricane Katrina, Rita, or Wilma; to the Committee on Education and the Workforce.

By Mr. DUNCAN (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. YOUNG of Alaska, Mr. OBERSTAR, Mr. BOUSTANY, Mr. BAKER, and Mr. MELANCON):

H.R. 4650. A bill to direct the Secretary of the Army to carry out programs and activities to enhance the safety of levees in the United States; to the Committee on Transportation and Infrastructure.

By Mrs. LOWEY:

H.R. 4651. A bill to require equitable coverage of prescription contraceptive drugs and devices, and contraceptive services under health plans; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration

of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H.R. 4652. A bill to provide Medicare beneficiaries with access to prescription drugs at Federal Supply Schedule prices; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN:

H.R. 4653. A bill to repeal a prohibition on the use of certain funds for tunneling in certain areas with respect to the Los Angeles to San Fernando Valley Metro Rail project, California; to the Committee on Transportation and Infrastructure.

By Ms. ROS-LEHTINEN (for herself and Mr. LANTOS):

H. Con. Res. 329. Concurrent resolution expressing the sense of Congress regarding the activities of Islamist terrorist organizations in the Western Hemisphere; to the Committee on International Relations.

By Mrs. TAUSCHER (for herself and Mr. CONYERS):

H. Con. Res. 330. Concurrent resolution expressing the concern of Congress that the President's 2002 order authorizing electronic surveillance of United States persons without a warrant violates existing law prohibiting such electronic surveillance, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Mr. BERMAN, Mr. BOUCHER, Mr. NADLER, Mr. SCOTT of Virginia, Ms. ZOE LOFGREN of California, Ms. JACKSON-LEE of Texas, Ms. WATERS, Mr. MEEHAN, Mr. DELAHUNT, Mr. WEXLER, Mr. WEINER, Mr. SCHIFF, Ms. LINDA T. SANCHEZ of California, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. KENNEDY of Rhode Island, Mr. DOGGETT, Mr. McDERMOTT, Mr. FILNER, Mr. MARKEY, Ms. SCHAKOWSKY, Ms. LEE, Mrs. TAUSCHER, Ms. MCCOLLUM of Minnesota, Mr. UDALL of New Mexico, and Mr. HOLT):

H. Res. 643. A resolution directing the Attorney General to submit to the House of Representatives all documents in the possession of the Attorney General relating to warrantless electronic surveillance of telephone conversations and electronic communications of persons in the United States conducted by the National Security Agency; to the Committee on the Judiciary.

By Ms. SLAUGHTER:

H. Res. 644. A resolution requesting the President and directing the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of those officials relating to the authorization of electronic surveillance of citizens of the United States without

court approved warrants; to the Committee on the Judiciary.

By Mr. WEXLER:

H. Res. 645. A resolution requesting the President and directing the Secretary of Defense to transmit to the House of Representatives all information in the possession of the President or the Secretary of Defense relating to the collection of intelligence information pertaining to persons inside the United States without obtaining court-ordered warrants authorizing the collection of such information and relating to the policy of the United States with respect to the gathering of counterterrorism intelligence within the United States; to the Committee on Armed Services.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 267: Mr. STEARNS.  
H.R. 283: Mr. WYNN.  
H.R. 333: Mr. EVANS.  
H.R. 752: Mr. HOLDEN and Mr. NADLER.  
H.R. 780: Mr. STRICKLAND.  
H.R. 925: Mr. CAMPBELL of California.  
H.R. 1106: Mr. FILNER and Mr. THOMPSON of California.  
H.R. 1562: Mr. ENGLISH of Pennsylvania.  
H.R. 1696: Mr. SHAYS.  
H.R. 2231: Mr. TOM DAVIS of Virginia.  
H.R. 2327: Mr. MEEHAN.  
H.R. 2345: Mr. PASTOR and Mr. WAXMAN.  
H.R. 2470: Mr. ENGLISH of Pennsylvania and Mr. McCOTTER.  
H.R. 2533: Mr. DANIEL E. LUNGREN of California.  
H.R. 2717: Mr. SOUDER.  
H.R. 3006: Ms. Moore of Wisconsin and Mr. HOYER.  
H.R. 3254: Mr. TOWNS and Ms. SOLIS.  
H.R. 3697: Mr. ANDREWS.  
H.R. 3936: Mr. SCHIFF.  
H.R. 4033: Mrs. KELLY.  
H.R. 4042: Mr. BOOZMAN.  
H.R. 4081: Mr. SENSENBRENNER.  
H.R. 4173: Mr. TOWNS.  
H.R. 4217: Ms. GRANGER and Mr. SENSENBRENNER.  
H.R. 4229: Mr. VAN HOLLEN.  
H.R. 4272: Mr. THOMPSON of California.  
H.R. 4424: Mr. CUELLAR.  
H.R. 4447: Ms. SOLIS and Mr. RANGEL.  
H.R. 4460: Mr. ENGLISH of Pennsylvania.  
H.R. 4492: Mr. RANGEL.  
H.R. 4506: Mr. AL GREEN of Texas, Mrs. LOWEY, and Mr. KENNEDY of Rhode Island.  
H.R. 4507: Ms. WASSERMAN SCHULTZ.  
H.R. 4540: Mr. BAIRD and Ms. EDDIE BERNICE JOHNSON of Texas.  
H.R. 4629: Mr. SNYDER.  
H.R. 4641: Mr. DOOLITTLE.  
H. Con. Res. 10: Mrs. TAUSCHER.  
H. Con. Res. 137: Mr. ROYCE.  
H. Con. Res. 282: Ms. SCHAKOWSKY.  
H. Con. Res. 296: Ms. ZOE LOFGREN of California, Mr. SMITH of New Jersey, Ms. DELAURO, Ms. WOOLSEY, Mr. MENENDEZ, Mr. LEWIS of Georgia, and Mr. MILLER of North Carolina.

H. Con. Res. 314: Mr. ETHERIDGE and Mr. GEORGE MILLER of California.

H. Con. Res. 317: Mr. BLUMENAUER, Mr. SERRANO, and Mr. MCGOVERN.

H. Res. 605: Mr. ENGLISH of Pennsylvania.

H. Res. 635: Ms. WATERS, Ms. ZOE LOFGREN of California, Ms. WOOLSEY, Mr. RANGEL, Ms. JACKSON-LEE of Texas, Mrs. CAPPS, and Mr. PAYNE.

H. Res. 636: Ms. WATERS, Ms. ZOE LOFGREN of California, Ms. WOOLSEY, and Mr. RANGEL.

H. Res. 637: Ms. WATERS, Ms. ZOE LOFGREN of California, Ms. WOOLSEY, Mr. RANGEL, and Ms. JACKSON-LEE of Texas.

H. Res. 641: Mr. THOMPSON of Mississippi, Mr. MARKEY, and Mr. CONYERS.

#### PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

101. The SPEAKER presented a petition of the citizens of the town of Norman, Oklahoma and the citizens of the town of Blanchard, Oklahoma, relative to a petition encouraging the Congress of the United States to insist on an exit strategy from Iraq with a timeline; to the Committee on International Relations.

102. Also, a petition of the Canadian House of Commons, relative to a resolution encouraging the Congress of the United States to reject any initiative which would require Canadian or American citizens to present their passports when crossing the border; to the Committee on the Judiciary.

103. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 554 requesting the Congress of the United States pass S.1060 and H.R.414, A Bill To Amend The Internal Revenue Code Of 1986 To Allow A Credit Against Income Tax For The Purchase Of Hearing Aids; to the Committee on Ways and Means.

#### DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 4 by Ms. SLAUGHTER on House Resolution 460: Brad Sherman.

Petition 5 by Mr. WAXMAN on House Resolution 537: Brad Sherman.

Petition 6 by Mr. ABERCROMBIE on House Resolution 543: Michael H. Michaud, Ike Skelton, and Carolyn McCarthy.

Petition 8 by Mr. WAXMAN on House Resolution 570: Brad Sherman.

Petition 9 by Mr. BOSWELL on House Resolution 584: Gene Green, Neil Abercrombie, Michael H. Michaud, Rick Larsen, and Carolyn McCarthy.

Petition 10 by Ms. HERSETH on House Resolution 585: Gene Green, Brad Sherman, Neil Abercrombie, Michael H. Michaud, Rick Larsen, and Carolyn McCarthy.